

C H A P. XI.

An ACT confirming to James Hendricks, of Baltimore county, sundry lands therein mentioned. *PR.*

C H A P. XII.

An ACT for the relief of certain prisoners in the several gaols therein mentioned.

Viz. Joseph Floyd, of Talbot county; Thomas Pierfon, Robert Hopkins, Abel Right, John Bowin, Moses Magee, Boston Ale, and Ezekiel Hitchins, of Worcester county; Jacob Knight, Oliver Lindsey, John Vears, James Downes, Andrew Long, Leonard Hoyle, George Wolf, Stephen Richards, John Alexander Brown, William James, Benjamin Harrison, Matthew Compton, John Houser, and Edward Bannister, of Frederick county; Thomas Swan, jun. Jonathan Gill, John M'Donald, Aquila Churn, Henry Simpson, Henry Sickle, Jacob Lanham, and Thomas Green, of Charles county; John Barron, and Thomas Standage, of Prince-George's county; John Messer, John Broderick, and George Bolton, of Anne-Arundel county; Peter Adams, and James Button, of Dorchester county; John Seward, William Seney, John Nabb, and Edward Crews, of Queen-Anne's county; Samuel Gofnell, Patrick Hennefy, Philip Barnethouse, James Woodward, Jacob Stoya, Thomas Smyth, Daniel Harkins, John Taylor, Vachel Worthington, John Hobbs, Godlip Neeth, Robert Elder, John Lees, Andrew Williams, Edward Preston, Patrick Quigley, John Keating, Owen Keef, George Baxter, Joseph Finley, Jane Johnson, Joseph Robas Rogers, Charles Kees, Thomas Tompkins, Peter Carroll, Joseph Smyth, and Charles Stewart, of Baltimore county.

C H A P. XIII.

An ACT for the better regulating attachments.

WHEREAS it is found by experience, that the laws now in being, directing the manner of suing out attachments, are not framed so as to afford equal justice to creditors, but commonly some of the creditors secure their whole claims, whilst others suffer a total loss, and frequently doubtful and suspicious claims take place of honest debts, by contrivance and fraud between absconding persons and their friends; for remedy whereof for the future,

Preamble.

II. *Be it enacted, by the right honourable the lord proprietary, by and with the advice and consent of his governor, and the upper and lower houses of assembly, and the authority of the same,* That from and after the first day of December next, whenever it shall happen, that any person whatsoever of this province, being indebted within this province, shall actually run away, abscond, or fly from justice, or secretly remove him or herself from his or her place of abode, or shall remove or be about to remove any of his or her effects, with intent to defraud his or her creditors, any one creditor, to whom the said absconding person is indebted in the sum of fifty shillings current money, or four hundred pounds of tobacco or upwards, over and above all discounts, may make application to any provincial or county justice, and on such creditor's making oath, or affirmation if a quaker, that the said absconding person is *bonâ fide* indebted to him or her in the sum of _____ over and above all discounts, and at the same time producing the bond or bonds, bill or bills, protested bill or bills of exchange, promissory note or notes, or other instrument or instruments of writing, account or accounts, by which the said absconding person is so indebted; which probate, or affirmation, as aforesaid, shall be endorsed thereon; and the said creditor also making oath or affirmation as aforesaid, that he or she doth know, or is credibly informed, and verily believes, that the said absconding person is actually run away, or fled from justice, or removed from his or her place of abode, or hath removed, or is about to remove, some of his or her effects, with an intent to injure and defraud his or her creditor or creditors of their just dues, which departure or running away, or removal or attempt to remove effects, shall also be proved by one other credible witness; the said provincial or county justice, on such oath or affirmation, and such other proof made, shall be and is hereby fully authorized and required, forthwith to issue his warrant to the clerk of the provincial or county court (as the case may require) to issue an attachment or attachments pursuant to this act; upon the receipt of which warrant, together with the proofs on which the same was granted, and not otherwise, the clerk of the provincial or county court, as the case may require, shall issue a writ of attachment, if in the county court, to the sheriff of that county, if in the provincial court, to the sheriff or sheriffs of the county or counties where the goods, chattels, books, papers or effects, of such absconding person shall be suggested to be by such creditor, to attach, seize, take and safely keep, all the whole personal estate of the said absconding person, of what kind

If any person indebted absconds, &c. one creditor may apply to a justice, &c.

Who is to direct an attachment to issue, &c.